

NOT INCLUDED IN
BOUND VOLUMES

PMMc
Chandler, AZ

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

BASHAS' INC.

and

Case 28-CA-168505

CARLOS MEJIA

ORDER APPROVING AMENDED STIPULATION, GRANTING AMENDED MOTION,
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the Board upon an amended joint motion by Respondent Bashas' Inc., Charging Party Carlos Mejia, and the General Counsel of the National Labor Relations Board (General Counsel) to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On May 31, 2016, the General Counsel, through the Regional Director for Region 28, issued a complaint and notice of hearing alleging that since at least July 27, 2015, the Respondent has maintained several overly broad and discriminatory work rules in its Member Handbook. The complaint further alleges that, by this conduct, the Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

On July 8, 2016, the parties filed a Joint Motion and Stipulation of Facts with the Board, and on August 8, 2016, the parties filed an Amended Joint Motion and Stipulation of Facts.

Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly

to the Board for issuance of findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the amended joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C. for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the amended joint stipulated record, which includes a stipulation of facts, Joint Exhibits 1 and 2, a statement of the issue presented, and statements of position by the Respondent and the General Counsel, is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C. on or before September 30, 2016, and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., September 9, 2016.

By Direction of the Board:

Gary Shinnars

Executive Secretary